

STEVEN G. KALAR
Federal Public Defender
Northern District of California
DAVID W. RIZK
Assistant Federal Public Defender
13th Floor Federal Building - Suite 1350N
1301 Clay Street
Oakland, CA 94612
Telephone: (510) 637-3500
Facsimile: (510) 637-3507
Email: David_Rizk@fd.org

Counsel for Defendant Cerda-Reyes

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS GERARDO CERDA-REYES,

Defendant.

Case No.: CR 18–359 JD

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CHANGE OF
PLEA PROCEEDING**

It is hereby stipulated, by and between the parties to this action, as follows:

1. That the change of plea proceeding currently scheduled for October 24, 2018 at 10:30 a.m. in San Francisco be continued to November 28, 2018 at 9:30 a.m. in Oakland; and,
2. That the continuance is reasonable and necessary to further pursue a potential resolution of this case, and to permit the defense to review audio tapes of immigration proceedings that were produced by the government on October 16, 2018; and,
3. That time should be excluded under the Speedy Trial Act, 18 U.S.C. § 3161, between October 24, 2018, through November 28, 2018, for effective preparation of counsel, taking into account the exercise of due diligence, under 18 U.S.C. § 3161(h)(7)(B)(iv), as the

1 defense requires additional time to review aforementioned audio tapes and to discuss
2 resolution; and, failure to grant the requested exclusion of time would deny the defendant
3 the time for effective preparation of counsel and would result in a miscarriage of justice.
4 *See* 18 U.S.C. § 3161(h)(7)(B)(iv).
5

6 IT IS SO STIPULATED.
7

8 Dated: October 23, 2018

9 STEVEN G. KALAR
10 Federal Public Defender
Northern District of California

11 /S/

12 DAVID W. RIZK
13 Assistant Federal Public Defender

14 Dated: October 23, 2018

15 ALEX TSE
16 United States Attorney
Northern District of California

17 /S/

18 RAVI NARAYAN
19 Assistant United States Attorney

1
2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5 OAKLAND DIVISION
6

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 LUIS GERARDO CERDA-REYES,

11 Defendant.
12

Case No.: CR 18-359 JD

**~~[PROPOSED]~~ ORDER TO CONTINUE
CHANGE OF PLEA PROCEEDING**

13 Pursuant to the parties' Stipulation, it is hereby ORDERED that the change of plea proceeding
14 previously scheduled for October 24, 2018 at 10:30 a.m. is hereby continued to November 28, 2018
15 at 9:30 a.m. in Oakland. For good cause shown, pursuant to facts set forth in the parties' Stipulation,
16 time is excluded for the period between October 24, 2018 through November 28, 2018, under the
17 Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv).
18
19

20 IT IS SO ORDERED.
21

22 Dated: October 23, 2018
23
24
25
26
27
28

